

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AMIRA SALEM,

Plaintiff,

v.

JOAN YUKINS, *et al.*,

Defendants.

Case No. 04-72250

Hon. John Corbett O'Meara
Hon. Virginia M. Morgan

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

Before the court is Magistrate Judge Virginia M. Morgan's report and recommendation to deny Defendants Juanita Bryant and Antonia Rawlins's motion for summary judgment and Defendant Dr. Indira Sawhney's motion for summary judgment, filed December 3, 2009. Defendants Bryant and Rawlins filed objections on December 17, 2009, as did Defendant Sawhney. Plaintiff Amira Salem filed responses to those objections on January 8, 2010. The court has reviewed these papers as well as the August 20, 2008 report and recommendation to deny in part motions for summary judgment filed by Bryant, Rawlins, and Sawhney, the summary judgment motion papers, and the objections to the August 20, 2008 report and recommendation.

This Court "shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made. 28 U.S.C. § 636(b)(1)(C). The Court "may accept, reject or modify, in whole or in part, the findings or recommendations made by the magistrate." *Id.* Having thoroughly reviewed the relevant papers,

the court is persuaded that Magistrate Judge Morgan is correct that the arguments raised by Defendants Bryant, Rawlins, and Sawhney are an attempt to re-litigate issues that have been previously determined by the court.

Accordingly, IT IS HEREBY ORDERED that Magistrate Judge Morgan's December 3, 2009 report and recommendation is ADOPTED.

s/John Corbett O'Meara
United States District Judge

Date: March 3, 2010

I hereby certify that a copy of the foregoing document was served upon counsel of record electronically and upon Plaintiff by ordinary mail at Huron Valley Women's Correctional Facility (WHV) on this date, March 3, 2010.

s/William Barkholz
Case Manager